

MONDAY, MARCH 5, 1990

SEVENTY-THIRD LEGISLATIVE DAY

The House met at 5:00 p.m. and was called to order by Mr. Speaker Murray.

The proceedings were opened with prayer by Elder Brewer Hall, Cedars of Lebanon Primitive Baptist Church, Lebanon, Tennessee.

Representative Joe Bell led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 97

Representatives present were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under Rule No. 20:

The Speaker announced that Representative Robinson (Washington) was excused to take care of business at home.

SIGNED
March 1, 1990

The Speaker announced that he had signed the following: House Resolution(s) No(s). 110 and 111.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

JOINT STATUTORY COMMITTEE REPORT
COUNCIL ON PENSIONS AND INSURANCE
March 5, 1990

MR. SPEAKER: Your Joint Statutory Committee, Council on Pensions and Insurance, begs leave to report that we have carefully considered and recommend to the appropriate standing committee for passage: House Bill(s) No(s). 1703 (with amendments), 1797 (with amendments), 1798 (with amendments), 1800 (with amendment), 1860, 1931 and 2361; and further moved out without recommendation: House Bill No. 1577.

We further beg leave to report that House Bill(s) No(s). 2213 was considered but failed to be recommended for passage.

SEN. DUNAVANT, Chairman.

REGULAR CALENDAR

*House Bill No. 1555 -- Criminal Offenses -- Revises penalty for assault and aggravated assault under certain circumstances. Amends TCA, Title 39.

Further consideration of House Bill No. 1555, previously considered on February 12, 1990, at which time the bill was reset to the calendar for March 5, 1990.

Rep. Rhinehart moved that House Bill No. 1555 be reset to the Calendar for Monday, March 12, 1990, which motion prevailed.

*House Bill No. 1797 -- Insurance, Health, Accident -- Authorizes certain members of state insurance committee to designate alternate representatives to attend meetings under certain conditions. Amends TCA, Title 8, Chs. 27, 44.

Further consideration of House Bill No. 1797, previously considered on February 26, 1990, at which time the bill was reset to the calendar for March 5, 1990.

Rep. Rhinehart moved that House Bill No. 1797 be passed on third and final consideration.

Rep. Rhinehart moved adoption of Council on Pensions and Insurance Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1797 by inserting in the first sentence of the amendatory language of Section 1 between the words "attend" and "meetings" the following:

, participate, and vote at

AND FURTHER AMEND by adding the following language as new Sections to be designated as indicated, and by renumbering the effective date Section accordingly:

SECTION 2. Tennessee Code Annotated, Section 8-27-301(a), is amended by adding the following language at the end thereof:

The state treasurer, the commissioner of commerce and insurance, the comptroller of the treasury, and the commissioner of finance and administration are authorized to designate an alternate representative to attend, participate, and vote at meetings of the committee when that respective member is unable to attend; the commissioner of education shall also have the authority to designate an alternate representative if the commissioner of education is designated by the governor, pursuant to this subsection, to serve on the local education insurance committee. The designation of an alternate representative must be made in writing to the chairman of the committee.

SECTION 3. Tennessee Code Annotated, Section 8-27-102, is amended by designating the existing language as subsection (a) and by adding the following as a new subsection (b):

(b) The state insurance committee shall have the authority to promulgate rules and regulations for the purpose of administering the group insurance plan for state officials and employees. Such rules and regulations may include provisions for the handling and resolution of disputes regarding benefits of the insurance plan.

SECTION 4. Tennessee Code Annotated, Section 8-27-301, is amended by adding a new subsection (c) as follows:

(c) The local education insurance committee shall have the authority to promulgate rules and regulations for the purpose of administering the group insurance plan for local education employees. Such rules and regulations may include provisions for the handling and resolution of disputes regarding benefits of the insurance plan.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Rhinehart moved that House Bill No. 1797, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	93
Noes.	0
Present and not voting.	3

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Muskey, Jackson, Jones, R. (Shelby), Kent, Kernell, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton -- 93.

Representatives present and not voting were: Haun, Jones, U. (Shelby), King -- 3.

A motion to reconsider was tabled.

***House Bill No. 1711 -- Purchasing --** Makes purchasing laws applicable to city or county purchases from proceeds derived from drug fines and forfeitures. Amends TCA, Title 39, Ch. 17, Pt. 4; Title 53, Ch. 11, Pt. 4.

Further consideration of House Bill No. 1711, previously considered on February 26, 1990, at which time the bill was reset to the calendar for March 5, 1990.

Rep. Buck moved that House Bill No. 1711 be passed on third and final consideration.

Rep. Buck moved to amend as follows:

Amendment No. 1

Amend House Bill No. 1711 in the amendatory language of Section 1 by inserting the words "proceeds derived from any forfeiture of any interest in real property or" between the words "made from" and "proceeds derived".

On motion, Amendment No. 1 was adopted.

Rep. Moody moved the previous question, which motion he then withdrew.

Rep. Buck moved that House Bill No. 1711 be passed on third and final consideration.

Rep. Burnett moved the previous question, which motion prevailed.

Thereupon, Rep. Buck moved that House Bill No. 1711, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	93
Noes.	4

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Whitson, Williams, Winningham, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 93.

Representatives voting no were: Head, Niceley, Shirley, Wix -- 4.

A motion to reconsider was tabled.

House Bill No. 2225 -- Liens -- Imposes requirements for filing and notice of liens on aircraft and aircraft component parts. Amends TCA, Title 66, Chs. 19, 24.

Rep. West moved that House Bill No. 2225 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	93
Noes.	0
Present and not voting.	1

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Hillis, Hobbs, Holcomb, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L.

(Shelby), Ussery, Webb, West, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 93.

Representatives present and not voting were: Holt -- 1.

A motion to reconsider was tabled.

House Bill No. 2310 -- Drugs -- Regulates and controls distribution, sale and use of anabolic steroids. Amends TCA, Title 39, Ch. 6, Pt. 4.

Rep. Herron moved that House Bill No. 2310 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2310 by deleting subsection (b)(1) of the amendatory language of Section___ of SECTION 1 and substituting instead the following:

(1) Enhancing performance in an exercise, sport, or game without medical necessity; or

FURTHER AMEND by deleting subsection (d) of the amendatory language of Section___ of SECTION 1 and substituting instead the following:

(d) A person who knowingly violates this section shall upon conviction for a first offense be guilty of a Class A misdemeanor. A second or subsequent violation of this section shall be a Class E felony.

FURTHER AMEND by deleting from SECTION 2 the date "July 1, 1989" and substituting instead the date "July 1, 1990".

On motion, Amendment No. 1 was adopted.

Rep. Herron moved to amend as follows:

Amendment No. 2

AMEND House Bill No. 2310 by adding to the amendatory language of Section 1 the following new subsection (a) and by relettering the present subsections accordingly:

(a) This act shall be known and may be cited as the "Young Athletes Anti-Drug Act".

AND FURTHER AMEND by adding after the original subsection

(c) the following new subsection:

() As used in this act, "practitioner" means a physician, a dentist, or a veterinarian.

On motion, Amendment No. 2 was adopted.

Rep. Herron moved that House Bill No. 2310 be reset to the calendar for Wednesday, March 7, 1990, which motion prevailed.

House Bill No. 1831 -- Attorney General and Reporter -- Authorizes attorney general to request assistance from TBI under certain conditions. CAVEAT: the body purports to amend TCA Title 38, Ch. 6, however the caption does not.

Rep. Buck moved that House Bill No. 1831 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. 98

Noes. 0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaja, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 98

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE MESSAGE

*House Bill No. 1131 -- Alcoholic Beverages -- Expands definition of "club" to include certain recreational clubs. Amends TCA 57-4-102.

Further consideration of House Bill No. 1131, previously considered on May 25, 1989, at which time the Conference Committee Report failed to be adopted, and the bill was re-referred to the Calendar and Rules Committee.

CONFERENCE COMMITTEE APPOINTED
ON HOUSE BILL NO. 1131

Pursuant to Rule No. 73, Representative Cain moved that the Speaker appoint a new Committee of the House to meet with a like Committee of the Senate to resolve the differences between the two bodies on House Bill No. 1131, which motion prevailed.

The Speaker dissolved the former Conference Committee and appointed Representatives Naifeh, Cain and Kent, as the House members of the new Conference Committee on House Bill No. 1131.

REGULAR CALENDAR, CONTINUED

*House Bill No. 2159 -- Education -- Require ID numbers for students. Amends TCA, Title 49, Ch. 6.

Rep. Hassell moved that House Bill No. 2159 be reset to the calendar for Monday, March 12, 1990, which motion prevailed.

House Bill No. 2074 -- Alcoholic Beverages -- Requires disclosure of leases, contracts and consulting compensation on retail licenses for alcoholic beverages. Amends TCA 57-3-204.

On motion, House Bill No. 2074 was made to conform with Senate Bill No. 1735.

On motion, Senate Bill No. 1735, on same subject, was substituted for House Bill No. 2074.

Rep. Dixon moved that Senate Bill No. 1735 be passed on third and final consideration.

Rep. Dixon moved that Senate Bill No. 1735 be reset to the calendar for Wednesday, March 7, 1990, which motion prevailed.

*House Joint Resolution No. 0550 -- Memorials, Government Officials -- Encourages local education agencies and private schools to support daily physical education programs for K-12.

Rep. Stamps moved that House Joint Resolution No. 550 be adopted, which motion prevailed by the following vote:

Ayes.	94
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels,

Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray. -- 94.

A motion to reconsider was tabled.

House Bill No. 2205 -- Private Protective Services -- Exempts unarmed private protective service personnel from Private Protective Services Licensing and Regulatory Act under certain conditions. Amends TCA 62-35-103.

Rep. West moved that House Bill No. 2205 be reset to the calendar for Wednesday, March 7, 1990, which motion prevailed.

House Bill No. 1970 -- Planning, Public -- Creates central business improvement districts for certain purposes. Amends TCA, Title 7, Ch. 84.

Rep. Davis (Knox) moved that House Bill No. 1970 be reset to the calendar for Wednesday, March 7, 1990, which motion prevailed.

CONSENT CALENDAR

House Bill No. 2048 -- Sunset Laws -- Extends termination date of the publications committee. Amends TCA, Title 4, Chs. 1, 29; Title 12, Ch. 7.

On motion, House Bill No. 2048 was made to conform with Senate Bill No. 2306.

On motion, **Senate Bill No. 2306**, on same subject, was substituted for House Bill No. 2048.

***House Bill No. 1745** -- Utilities, Utility Districts -- Permits appointment of customers to municipal electric boards. Amends TCA 7-52-107.

On motion, House Bill No. 1745 was made to conform with Senate Bill No. 1971.

On motion, **Senate Bill No. 1971**, on same subject, was substituted for House Bill No. 1745.

***House Bill No. 2436** -- County Government -- Authorizes county

to operate driver education school and to impose fee. Amends TCA, Title 55.

House Bill No. 1788 -- Election Laws -- Authorizes Hamilton county to give notice either by publication or by mail before purging permanent registration records. Amends TCA 2-2-132.

House Joint Resolution No. 0544 -- General Assembly, Confirmation of Appointment -- Confirms appointment of Howard E. Bond to Tennessee Registry of Election Finance.

House Joint Resolution No. 0542 -- General Assembly, Confirmation of Appointment -- Confirms appointment of Carole S. Bucy to Tennessee Registry of Election Finance.

House Bill No. 1892 -- County Officers -- Abolishes office of constable in Giles County. Amends TCA 8-10-101.

On motion, House Bill No. 1892 was made to conform with Senate Bill No. 2278.

On motion, **Senate Bill No. 2278**, on same subject, was substituted for House Bill No. 1892.

***House Resolution No. 0094** -- General Assembly, Statement of Intent or Position -- Endorses and supports the area health education centers program of Tennessee.

***House Bill No. 1775** -- Naming and Designating -- Establishes "Family Day" as a day of special observation. Amends TCA, Title 15, Ch. 2.

On motion, House Bill No. 1775 was made to conform with Senate Bill No. 2008.

On motion, **Senate Bill No. 2008**, on same subject, was substituted for House Bill No. 1775.

House Bill No. 2028 -- Fees -- Deletes fee amount to file and record certified abstract of judgment or decree. Amends TCA 25-5-109.

On motion, House Bill No. 2028 was made to conform with Senate Bill No. 2143.

On motion, **Senate Bill No. 2143**, on same subject, was substituted for House Bill No. 2028.

***House Joint Resolution No. 0613** -- Memorials, Government Officials -- Requires annual reports of development and implementation of recruitment and retention of minority public school teachers and administrators.

House Resolution No. 0112 -- Memorials, Recognition -- Honors Minnie Love during "Hire the Older Worker Week".

House Resolution No. 0113 -- Memorials, Recognition -- Honors Jimmie Westbrooks during "Hire the Older Worker Week".

House Resolution No. 0114 -- Memorials, Recognition -- Honors Peggy Gossett during "Hire the Older Worker Week".

House Resolution No. 0115 -- Memorials, Recognition -- Honors Aileen Murray during "Hire the Older Worker Week".

House Resolution No. 0116 -- Memorials, Recognition -- Honors Ivan Copley during Hire the Older Worker Week.

House Resolution No. 0117 -- Memorials, Recognition -- Honors Louise Campbell during "Hire the Older Worker Week".

House Joint Resolution No. 0667 -- Memorials, Personal Occasion -- Honors Claude A. Walker on 80th birthday.

House Joint Resolution No. 0669 -- Memorials, Public Service -- Commends Alpha Kappa Alpha sorority for international public service.

House Joint Resolution No. 0670 -- Memorials, Recognition -- Commends Alpha Kappa Alpha sorority on adoption of Knoxville College.

House Joint Resolution No. 0671 -- Memorials, Public Service -- Honors Midge Jessiman for service to Anderson County.

House Bill No. 2595 -- Alcoa -- Revises charter relative to ordinances. Amends Chapter 510, Private Acts of 1919, as amended.

House Bill No. 2596 -- Williamson County -- Revises Adequate Facilities Tax Act to provide appeals procedure. Amends Chapter 118, Private Acts of 1987, as amended.

House Bill No. 2597 -- Williamson County -- Revises Adequate School Facilities Tax Act to add appeals procedure. Amends Chapter 113, Private Acts of 1987.

House Bill No. 2599 -- Bristol -- Revises charter. Amends Chapter 179, Private Acts of 1986, as amended.

House Bill No. 2600 -- Bartlett -- Provides for community design review commission. Amends Chapter 449, Acts of 1905, as amended.

Senate Joint Resolution No. 0507 -- Memorials, Personal Achievement -- Congratulates Kevin Barham, Reporter of Tennessee Future Farmers of America.

Senate Joint Resolution No. 0508 -- Memorials, Personal Achievement -- Congratulates Beth Johnson, Vice President of Tennessee Future Farmers of America.

Pursuant to Rule No. 50, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, that all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes.	95
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odum, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from not voting to aye on the following bill(s)/resolution(s): House Bill(s) No(s). 1797, 2225, 1711 and 1831; House Joint Resolution(s) No(s). 550; also, Consent Calendar; and have this statement entered in the Journal.

Rep. Tom Wheeler

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. Phillips moved to suspend Rule No. 49, so that all bills reported out of Calendar and Rules on Tuesday, March 6 and Wednesday, March 7, 1990 can be placed on floor calendars for Wednesday, March 7 and Thursday, March 8, 1990, respectively, which motion prevailed.

RULES SUSPENDED

Rep. Phillips moved to suspend Rule No. 71, as it relates to the 24-hour provision for distributing amendments to bills on the floor calendar, which motion prevailed.

RULES SUSPENDED

Rep. Starnes moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 674 out of order, which motion prevailed.

House Joint Resolution No. 0674 -- Naming and Designating -- Declares Tuesday, March 6, 1990, "National Teachers' Day". by *Starnes.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Starnes, the resolution was adopted.

A motion to reconsider was tabled.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 542: Rep(s). Halteman added as prime sponsor(s).

House Bill No. 2288: Rep(s). Callicott added as prime sponsor(s).

House Bill No. 2310: Rep(s). Hobbs added as prime sponsor(s).

House Bill No. 2532: Rep(s). Bragg and Burnett added as prime sponsor(s).

SPONSORS REMOVED

On motion, Rep. Armstrong was removed as sponsor of House Bill No. 2074.

On motion, Rep. Sipes was removed as sponsor of House Bill No. 2532.

INTRODUCTION OF RESOLUTIONS

House Joint Resolution No. 0666 -- Naming and Designating -- Designates May 1990 as "Better Speech and Hearing Month". by *Wood, *McAfee, *Robinson C B, *Starnes, *Copeland, *Turner B.

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The Speaker referred House Joint Resolution No. 666 to the Calendar and Rules Committee.

House Joint Resolution No. 0668 -- Naming and Designating -- Designates April 7 through 21, 1990 "GLAD Bag-A-Thon Weeks" by *Moody, *Robinson Ruth, *Hubbard, *Yelton, *Holcomb, *Haun, *Niceley, *Givens, *Davis R E.

The Speaker referred House Joint Resolution No. 668 to the Calendar and Rules Committee.

House Joint Resolution No. 0675 -- Memorials, Professional Achievement -- Honors U.S. Bankruptcy Judge Bernice Donald. by *Jones R, *Byrd, *Turner L, *Nuber, *Williams K, *Moore U A, *Hassell, *Jones U, *Dixon, *DeBerry.

The Speaker referred House Joint Resolution No. 675 to the Calendar and Rules Committee.

House Joint Resolution No. 0676 -- Memorials, Personal Occasion -- Celebrates marriage of Melissa Braden and Phillip Shockley. by *Wheeler.

The Speaker referred House Joint Resolution No. 676 to the Calendar and Rules Committee.

SENATE JOINT RESOLUTIONS (Congratulatory and Memorializing)

Senate Joint Resolution No. 0486 -- Memorials, Recognition -- Commends Dayton City School for academic leadership and excellence.

The Speaker referred Senate Joint Resolution No. 486 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0494 -- Memorials, Condolence -- Honors memory of Virgie Rouse Snodgrass.

The Speaker referred Senate Joint Resolution No. 494 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0495 -- Memorials, Congratulations -- Congratulates Greater Kingsport Area Chamber of Commerce on success of 10th Annual Fun Fest.

The Speaker referred Senate Joint Resolution No. 495 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0496 -- Memorials, Recognition -- Recognizes airborne forces of U.S. Army on 50th anniversary.

The Speaker referred Senate Joint Resolution No. 496 to the Calendar and Rules Committee.

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Senate Joint Resolution No. 0497 -- Memorials, Recognition -- Honors Cathy DeCaterina, executive director of Theatre Bristol.

The Speaker referred Senate Joint Resolution No. 497 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0498 -- Memorials, Professional Achievement -- Honors David Lee Miller, Investigator of the Year.

The Speaker referred Senate Joint Resolution No. 498 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0503 -- Memorials, Personal Achievement -- Honors Carroll Barrett for achieving the rank of Eagle Scout.

The Speaker referred Senate Joint Resolution No. 503 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0504 -- Memorials, Sports -- Congratulates McCallie School wrestling team, TSSAA state wrestling champions.

The Speaker referred Senate Joint Resolution No. 504 to the Calendar and Rules Committee.

RESOLUTIONS LYING OVER

*Senate Joint Resolution No. 0446 -- General Assembly, Confirmation of Appointment -- Confirms appointment of Michael S. Lacy to Tennessee Claims Commission.

The Speaker referred Senate Joint Resolution No. 446 to the Finance, Ways and Means Committee.

Senate Joint Resolution No. 0489 -- General Assembly, Adjournment, Recess -- Provides for adjournment sine die of 96th General Assembly.

The Speaker referred Senate Joint Resolution No. 489 to the State and Local Government Committee.

Senate Joint Resolution No. 0499 -- General Assembly, Joint Conventions -- Requests special joint convention to honor Coach Johnny Majors and UT football team.

The Speaker referred Senate Joint Resolution No. 499 to the State and Local Government Committee.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration.

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House Bill No. 2605 -- Madisonville -- Staggers and increases term of mayor and aldermen; establishes salary for such officials. Amends Chapter 663, Private Acts of 1911, as amended. by *Harrill.

Passed first consideration.

House Bill No. 2606 -- Campbell County -- Prohibits disposal of certain garbage. by *Cross, *Wheeler.

Passed first consideration.

House Bill No. 2607 -- Slayden -- Revises charter. Amends Chapter 346, Private Acts of 1913, as amended. by *Jackson.

Passed first consideration.

***House Bill No. 2608 -- Taxes, Real Property -- Authorizes county trustee of Dyer County to accept partial payments of property taxes in certain circumstances. Amends TCA, Title 67, Ch. 5, Pt. 18. by *Holt.**

Passed first consideration.

House Bill No. 2609 -- Rutherford County -- Authorizes emergency purchases without bids. Amends Chapter 421, Private Acts of 1943, as amended. by *Bragg.

Passed first consideration.

SENATE BILLS ON FIRST CONSIDERATION

On motion, the Senate Bills listed below, transmitted to the House were held on the Clerk's desk as noted.

Senate Bill No. 1841 -- Sunset Laws -- Extends termination date of law enforcement training academy. Amends TCA, Title 4, Chs. 3, 7, 29; Title 37, Ch. 1; Title 38, Ch. 8.

Held on the Clerk's desk pending third consideration of companion *House Bill No. 1661.

Senate Bill No. 1870 -- Correctional Programs -- Sets time for work release. Amends TCA, Titles 41, 55.

Held on the Clerk's desk pending third consideration of companion *House Bill No. 1694.

***Senate Bill No. 1892 -- Pensions and Retirement Benefits -- Allows certain city employees to retire and receive benefits while county employee. Amends TCA, Title 8, Ch. 36.**

Held on the Clerk's desk pending third consideration of companion House Bill No. 1722.

MONDAY, MARCH 5, 1990 -- SEVENTY-THIRD LEGISLATIVE DAY

***Senate Bill No. 1920 -- Utilities, Utility Districts --**
Authorizes certain loans under utility relocation loan program.
Amends TCA, Title 7, Ch. 82, Pt. 7, 67-3-617.

Held on the Clerk's desk pending third consideration of companion House Bill No. 1988.

Senate Bill No. 2029 -- Utilities, Utility Districts --
Increases compensation of commissioners of utility districts.
Amends TCA 7-82-308.

Held on the Clerk's desk pending third consideration of companion House Bill No. 1749.

***Senate Bill No. 2055 -- Fund Raising --** Requires in kind contributions to be listed separately on disclosure statement.
Amends TCA, Title 2.

Held on the Clerk's desk pending third consideration of companion House Bill No. 1906.

***Senate Bill No. 2075 -- Day Care --** Increases weekly rate paid by department for certain day care. Amends TCA, Title 71, Ch. 3.

Held on the Clerk's desk pending third consideration of companion House Bill No. 2024.

***Senate Bill No. 2153 -- Public Funds and Financing --** Revises various provisions on public finances and investments. Amends TCA 8-5-110, 105, 49-50-1305.

Held on the Clerk's desk pending third consideration of companion House Bill No. 2106.

Senate Bill No. 2201 -- Sunshine Law -- Permits governmental meetings to be held through electronic or other communication systems.

Held on the Clerk's desk pending third consideration of companion House Bill No. 1839.

***Senate Bill No. 2202 -- Liens --** Establishes effectiveness and priority of pledges and liens received by local government to secure any bond or note. Amends TCA, Title 7, Ch. 34; Title 9, Ch. 21.

Held on the Clerk's desk pending third consideration of companion House Bill No. 2190.

***Senate Bill No. 2224 -- State Government --** Revises law relative to administration of property prior to agreement of sale. Amends TCA, Title 4, Ch. 15; Title 12, Ch. 2; Title 58, Ch. 1, Pt. 5.

Held on the Clerk's desk pending third consideration of companion House Bill No. 2167.

***Senate Bill No. 2278 -- County Officers -- Abolishes office of constable in Giles County. Amends TCA 8-10-101.**

Held on the Clerk's desk pending third consideration of companion House Bill No. 1892.

Senate Bill No. 2280 -- Pensions and Retirement Benefits -- Permits Tennessee Athletic Coaches Association to be participating employer in TCRS. Amends TCA, Title 8, Ch. 35, Pt. 2.

Held on the Clerk's desk pending third consideration of companion *House Bill No. 1497.

***Senate Bill No. 2300 -- Probation -- Authorizes release of certain inmates without hearing in certain circumstances. Amends TCA, Title 40, Chs. 28, 35.**

Held on the Clerk's desk pending third consideration of companion House Bill No. 2101.

Senate Bill No. 2512 -- Assessors -- Provides for correction of clerical errors on assessment records. Amends TCA, Title 67.

Held on the Clerk's desk pending third consideration of companion *House Bill No. 2423.

Senate Bill No. 2518 -- Assessors -- Provides for notice of property tax assessments to taxpayers. Amends TCA 67-5-508, 67-5-1412, 67-5-1501.

Held on the Clerk's desk pending third consideration of companion *House Bill No. 2425.

Senate Bill No. 2520 -- Taxes, Real Property -- Regulates property tax for economic development.

Held on the Clerk's desk pending third consideration of companion *House Bill No. 2412.

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred to committee or held on the Clerk's desk as noted.

House Bill No. 2601 -- Franklin -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 2602 -- Eagleville -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

***House Bill No. 2603 -- Utilities, Utility Districts -- Passed second consideration and referred to the State and Local Government Committee.**

MONDAY, MARCH 5, 1990 -- SEVENTY-THIRD LEGISLATIVE DAY

House Bill No. 2604 -- Kingsport -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

DELAYED BILLS REFERRED

March 5, 1990

Pursuant to Rule No. 78, House Bill(s) No(s). 2603, was/were referred to the Delayed Bills Committee.

LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES

March 5, 1990

In accordance with Rule No. 48, the following local bill(s), having received authorization for passage by the local legislative delegation, was/were transmitted to the Calendar and Rules Committee: House Bill(s) No(s). 2241, 2242, 2523, 2601, 2602 and 2604.

REPORT OF COMMITTEE ON CALENDAR AND RULES

CONSENT CALENDAR

March 5, 1990

MR. SPEAKER: The officers of your Calendar and Rules Committee beg leave to report that we have set the following bill(s) and/or resolution(s) on the Consent Calendar for Wednesday, March 7, 1990: House Bill(s) No(s). 2241, 2242, 2523, 2601, 2602 and 2604; House Joint Resolution(s) No(s). 675 and 676; also, Senate Joint Resolution(s) No(s). 486, 494, 495, 496, 497, 498, 503 and 504.

PHILLIPS, Chairman.

ENGROSSED BILLS

March 5, 1990

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 1711, 1797, 1831 and 2225; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

March 5, 1990

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 649 and 650; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

March 5, 1990

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1849, 1919, 1922 and 2104; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

March 5, 1990

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 677, 1604 and 2039; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

*Senate Bill No. 0677 -- Contractors -- Revises terms of homebuilder exemption in Contractors Licensing Act. Amends TCA, Title 62, Ch. 6.

*Senate Bill No. 1604 -- Correctional Programs -- Authorizes division of community services to supervise offender who completes special alternative incarceration program. Amends TCA, Title 40, Ch. 20.

*Senate Bill No. 2039 -- Planning, Public -- Creates central business improvement districts for certain purposes. Amends TCA, Title 7, Ch. 84.

MESSAGE FROM THE SENATE

March 5, 1990

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 470, 800, 1799, 1936, 2590 and 2592; also, House Joint Resolution(s) No(s). 554, 562, 630, 631, 632, 634, 635, 636, 637, 639, 640, 641, 644, 646 and 647; signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

March 5, 1990

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 255, 959, 1575, 1672 and 2127; also, Senate Joint Resolution(s) No(s). 487 and 509; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENGROSSED BILLS

March 5, 1990

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 1788, 2436, 2595, 2596, 2597, 2599 and 2600; also, House Joint Resolution(s) No(s). 542, 544, 550, 613, 667, 669, 670, 671 and 674; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

March 5, 1990

MR. SPEAKER: I am directed to return to the House, House Bill No. 1744.

The Senate lifted the tabling motion, reconsidered passage of the bill, adopted Amendment No. 3; then repassed the bill on third and final consideration, as amended.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

March 5, 1990

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 1357.

The Senate nonconcurred in House Amendment(s) No(s). 1.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ROLL CALL

The roll call was taken with the following results:

Present 98

Representatives present were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom,

Peroules, Phillips, Pines, Pruitt, Puzos, Rhinehart, Ridgway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sipes, Sealings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitten, Williams, Winghamam, Wix, Wolfe, Wood, Felton, Mr. Speaker Murray -- DO.

On motion of Rep. Nathan, the House adjourned until 2:00 p.m., Wednesday, March 6, 1930.

The Committee on Education and Labor, on Monday, March 4, 1930, held a public hearing on the proposed bill for the purpose of determining the feasibility of the proposed bill.

The following persons were present at the hearing: Mr. Nathan, Mr. Pines, Mr. Pruitt, Mr. Puzos, Mr. Rhinehart, Mr. Ridgway, Mr. Robinson (Davidson), Mr. Robinson (Hamilton), Mr. Scruggs, Mr. Severance, Mr. Shirley, Mr. Sipes, Mr. Sealings, Mr. Stamps, Mr. Starnes, Mr. Turner (Hamilton), Mr. Turner, C. (Shelby), Mr. Turner, L. (Shelby), Mr. Ussery, Mr. Webb, Mr. West, Mr. Wheeler, Mr. Whitten, Mr. Williams, Mr. Winghamam, Mr. Wix, Mr. Wolfe, Mr. Wood, Mr. Felton, Mr. Speaker Murray, Mr. Nathan, Mr. Pines, Mr. Pruitt, Mr. Puzos, Mr. Rhinehart, Mr. Ridgway, Mr. Robinson (Davidson), Mr. Robinson (Hamilton), Mr. Scruggs, Mr. Severance, Mr. Shirley, Mr. Sipes, Mr. Sealings, Mr. Stamps, Mr. Starnes, Mr. Turner (Hamilton), Mr. Turner, C. (Shelby), Mr. Turner, L. (Shelby), Mr. Ussery, Mr. Webb, Mr. West, Mr. Wheeler, Mr. Whitten, Mr. Williams, Mr. Winghamam, Mr. Wix, Mr. Wolfe, Mr. Wood, Mr. Felton, Mr. Speaker Murray.

The Speaker announced that the following members had been excused, pursuant to request, under Rule 20:

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